IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

WP(C).No. 24947 of 2007(T)

PETITIONER:

V.V.AUGUSTINE, S/O.VARKEY,
RESIDING AT AKKAMATTATHIL, THE FORMER PRESIDENT,
MARANGOLY INDUSTRIAL CO.OPERATIVE SOCIETY LTD.,
REG. NO.C.1ND (K)62, MARANGOLY P.O.,
NEEZHOOR, KOTTAYAM.

BY ADV. SRI.MANUEL KACHIRAMATTAM

RESPONDENTS:
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1. **THE DISTRICT COLLECTOR,**
   COLLECTORATE, KOTTAYAM.

2. **THE TAHSILDAR VAIKKOM, THALUK OFFICE,**
   VAIKKOM, KOTTAYAM.

3. **M.J.JOSE, RESIDING AT MAMPILLIL,**
   MARANGOLY P.O., NEEZHOOR, KOTTAYAM.

4. **K.M.DEVASIA, RESIDING AT KOCHUPURAKKAL,**
   MARANGOLY P.O., KOTTAYAM.

5. **THE SECRETARY, THE KERALA KATHI GRAMA**
   VYASAYA BOARD, THIRUVANANTHAPURAM.

R5 BY SRI. K.P. HARISH, SC
SRI.V.V.JOSHI
R1 & R2 BY GOVERNMENT PLEADER SRI.MATHEW GEORGE VADAKKEL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE DEED OF HYPOTHECATION NO.64.

EXT.P2: COPY OF THE NOTICE BEARING NO.G9-814/04 ISSUED BY THE 2ND RESPONDENT.

EXT.P3 AND 3(A): COPY OF THE REPRESENTATION DTD. 23/07/2007 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT AND MINISTER FOR REVENUE.

EXT.P4: COPY OF THE CERTIFICATE BEARING NO.C1.5203/2006/K.DIS. ISSUED BY THE 2ND RESPONDENT BY FIXING THE UPSET PRICE TO THE PROPERTY COMPRISED IN SURVEY NO.336/1 IN THE NJEEZHOOR VILLAGE.

/TRUE COPY/

P.A.TO JUDGE

KSS

V.GIRI, J.

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W.P.(C)No. 24947 of 2007

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Dated this the 21st day of November 2007

JUDGMENT

The petitioner is the former President of a registered Co-operative Society. Property mortgaged by the Society in favour of the Khadi Grama Vyavasaya Board was brought to revenue sale on 18.7.2007. The property was bid by the 4th respondent herein for an amount of Rs.4,11,500/=. Petitioner moved the District Collector for setting aside the sale by Ext.P3. In the meanwhile the petitioner has moved this Court inter alia seeking a direction to the District Collector to set aside the sale conducted on 18.7.2007.

2. Learned counsel for the petitioner submits that pursuant to the interim order passed by this Court, District Collector is proceeding with the consideration of the application to set aside the sale. Apparently evidence has been taken and orders are yet to be passed. Submission is recorded.

3. The writ petition is disposed of directing the first respondent to finalise the proceedings arising from the application filed by the petitioner to set aside the revenue sale

held on 18.7.2007, as early as possible, at any rate, within a period of six weeks from the date of receipt of a copy of this judgment.

V.GIRI, JUDGE

CSS